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Attorney for Defendant
 THOR MOTOR COACH, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA (SAN JOSE COURTHOUSE)

GREGORIO GUTIERREZ,

Plaintiff,

v.

THOR MOTOR COACH, INC.; DOES 1-
 10, inclusive,

Defendants.

) CASE NO.: 5:20-cv-04189-VKD
) (Removed from Santa Clara County Superior Court
) Case No. 20CV366311)

) **~~[PROPOSED]~~ ORDER ON JOINT**
) **MOTION OF ALL PARTIES TO**
) **TRANSFER VENUE TO FEDERAL**
) **COURT FOR THE NORTHERN**
) **DISTRICT OF INDIANA IN SOUTH**
) **BEND, INDIANA**

)
) Complaint Filed: 05/01/20
) Removal Filed: 06/25/20
) Trial Date: Not Yet Set

TO ALL PARTIES, THEIR COUNSEL OF RECORD, AND TO THE UNITED STATES
 DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA, COURTROOM 2, THE
 HONORABLE VIRGINIA K. DeMARCHI:

The parties' Joint Motion to Transfer Venue to Indiana Federal Court pursuant to 28
 U.S.C. § 1404(a) was presented to the Court on September 10, 2020, the Honorable Virginia
 K. DeMarchi, presiding.

Upon review of the record and all briefing filed by all parties, the Court rules as follows:

IT IS HEREBY ORDERED THAT, based on the provisions in the express warranty
 issued by Defendant Thor Motor Coach, Inc. that accompanied the sale of the subject vehicle
 to Plaintiff, which provides that "Exclusive jurisdiction for deciding legal disputes relating to

1 alleged breach of warranty or representations of any nature rest in the courts of the state of
2 manufacture, which is Indiana,” that this lawsuit should be transferred to the United States
3 Federal Court for the Northern District of Indiana in South Bend, Indiana.

4 **IT IS SO ORDERED.**

5
6 Dated: September 14, 2020

By: Virginia K. DeMarchi
HON. VIRGINIA K. DeMARCHI
United States Magistrate Judge
Northern District of California